



MET2.PAU.02

1/1w 2623  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	)	
Bentolila et al.	)	Examiner: Alan Johnson
Application No.:	)	Group Art Unit: 2623
10/043,698	)	
Filed:	)	
January 9, 2002	)	
For: System and Method for Behavioral Model	)	
Clustering in Television Usage, Targeted Clustering,	)	
and Preference Advertising Via Model Programming	)	
Based on Behavioral Model Clusters	)	Irvine, California

**INFORMATION DISCLOSURE STATEMENT**  
(SUBMISSION AFTER FILING OF AN APPLICATION  
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE  
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION  
OR WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 28, 2006

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications; (iii) each cited pending unpublished U.S. application, the application specification including the claims, and any drawings of the application, or that portion of the

application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a. ☒ DOCUMENTS IN THE ENGLISH LANGUAGE

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

- b. ☐ DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

- c. ☐ ENGLISH LANGUAGE SEARCH REPORT

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

- d. ☐ OTHER

The following additional information is provided for the Examiner's consideration.

FEES

- IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):  
(check one box)
- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

- V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☒ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

or

- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☒ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 01-1960 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee.
- ☐ No fee is required.

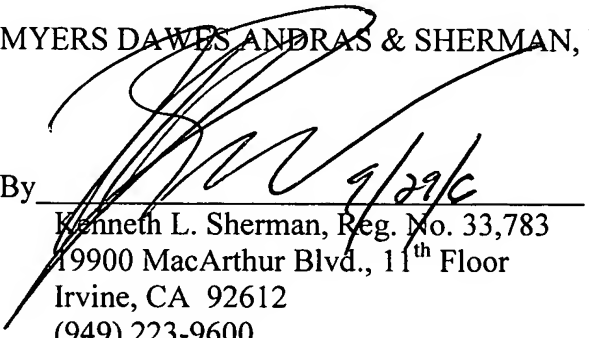
If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 01-1960.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 01-1960 for any additional fees required in connection with this filing. A duplicate copy of this page is enclosed for this purpose.

Respectfully submitted,

MYERS DAWES ANDRAS & SHERMAN, LLP

By

  
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Attachment(s):

- ☒ PTO-1449
- ☒ Documents – 1 Reference
- ☐ Foreign Search Report
- ☒ Fee
- ☒ Other: Return Receipt Postcard

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on September 3, 2006.  
October

Sarah A. Nielsen  
(Name of person mailing paper)

  
(Signature of person mailing paper)

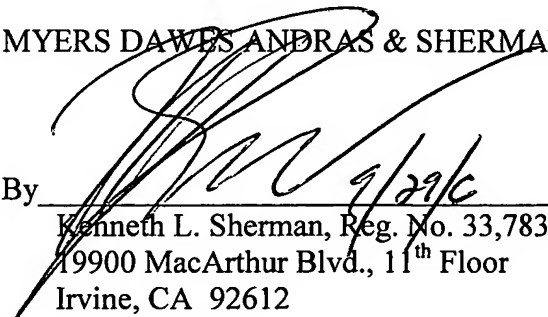
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Respectfully submitted,

MYERS DAWES ANDRAS & SHERMAN, LLP

By

  
Kenneth L. Sherman, Reg. No. 33,783  
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Irvine, CA 92612  
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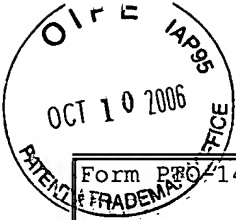
Attachment(s):      ☒ PTO-1449  
                             ☒ Documents – 1 Reference  
                             ☐ Foreign Search Report  
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Sarah A. Nielsen  
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Form PTO-1449

ATTY DOCKET NO.

MET2.PAU.02

APPLICATION NO.

10/043,698

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

APPLICANT

Bentolila et al.

FILING DATE

January 9, 2002

GROUP

2623

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	6,088,722		July, 2000	Herz et al.	709	217	
	5,798,785		August, 1998	Hendricks et al.	725	46	
	6,738,978		May, 2004	Hendricks et al.	725	35	
	5,801,747		September, 1998	Bedard, Karen	725	46	
	2005/0193410		September, 2005	Eldering, Charles A.	725	034	
	6,177,931		January, 2001	Alexander et al.	725	52	

**FOREIGN PATENT DOCUMENTS**

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO

**OTHER DOCUMENTS**

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

Lawrence R. Rabiner, "A tutorial on Hidden Markov Models and Selected Applications in Speech Recognition", IEEE February 1989.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313 on ~~September~~ October 3, 2006.

Sarah A. Nielsen  
(Name of person mailing paper)

*Sarah A. Nielsen*  
(Signature of person mailing paper)

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